



*FLW Reg 190-5

FLW REGULATION
No. 190-5

6 November 2006

Military Police
MOTOR VEHICLE TRAFFIC SUPERVISION ON FORT LEONARD WOOD

Summary. This regulation establishes policies and procedures for the operation of vehicles on Fort Leonard Wood (FLW).

Applicability. This regulation applies to all personnel desiring to operate vehicles on FLW.

Supplementation. Supplementation of this regulation is prohibited without prior approval by headquarters, United States Army Maneuver Support Center (MANSCEN) and Fort Leonard Wood.

The words "he" and "his" used herein are intended to include both the masculine and feminine genders, except where otherwise noted.

Suggested Improvements. The proponent agency of this regulation is the Provost Marshal (PM). Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to Commander, USAMANSCEN & FLW, ATTN: IMNW-LNW-ES, Fort Leonard Wood, MO 65473-5000.

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	Contents	Para	Page
Chapter 1	INTRODUCTION		
	Purpose	1-1	2
	References and Forms	1-2	2
	Explanation of Acronyms, Abbreviations, and Brevity Codes	1-3	2
	Objective	1-4	2
	Scope and Enforcement	1-5	2
	Responsibility	1-6	2
Chapter 2	TRAFFIC OPERATIONS		
	State Traffic Laws in Effect	2-1	2
	Military Police (MP) Orders	2-2	2
	Speed Limit	2-3	2
	Radar Detection Devices	2-4	2
	Seatbelts	2-5	2
	Prohibited Practices	2-6	2
	Operation of Motorcycles, Motorized Pedicycles (MOPED), and Off-Road Vehicles to Include All Terrain Vehicles (ATV)	2-7	3
	Operation of Bicycle	2-8	3

*This regulation supersedes FLW Regulation 190-5, dated 3 November 2000.

Chapter 2	TRAFFIC OPERATIONS (continued)		
	Special and Emergency Situations	2-9	4
	Pedestrian Traffic	2-10	4
	Traffic Rules for Skateboards and Rollerblades	2-11	4
Chapter 3	DRIVER'S LICENSE		5
Chapter 4	STOPPING, STANDING, AND PARKING		5
Chapter 5	TRAFFIC POINT SYSTEM		8
Chapter 6	ALCOHOL-RELATED DRIVING OFFENSES/PROCEDURES		9
Chapter 7	SPECKER BARRACKS COMPLEX		
	Purpose	7-1	9
	Objectives	7-2	9
	General	7-3	9
Chapter 8	MP TRAFFIC ACCIDENT PROCEDURES		
	Traffic Accident Investigation	8-1	9
	Protecting the Traffic Scene	8-2	10
	Traffic Accident Investigation Reports	8-3	10
	Accidents	8-4	10
Chapter 9	OPERATING GOVERNMENT VEHICLES DURING DEGRADED ROAD CONDITIONS		10
Chapter 10	ROAD CLOSURES		
	Notification	10-1	10
	Physical Training Run Routes	10-2	10
Appendix A	References and Forms		10
Appendix B	Administrative Due Process for Suspensions and Revocations		11
Appendix C	Requests for Restricted Installation Driving Privileges (RDP)		11
Appendix D	Requests for Restoration of Installation Driving Privileges		12
Appendix E	Administrative Hearings		12
Glossary			12

Chapter 1 INTRODUCTION

1-1. Purpose. This regulation incorporates the motor vehicle laws of the State of Missouri and Department of Defense guidance for application on FLW, establishes punitive provisions, implements an administrative enforcement system, and establishes uniform requirements for the regulation of vehicles. The operation of privately owned vehicles (POVs) on FLW is a conditional privilege extended by the Commanding General. Persons desiring this privilege will follow all rules and regulations herein. Failure to comply with this regulation and other applicable laws and regulations may result in revocation of this privilege in addition to appropriate punitive action.

1-2. References and Forms. The required and related references and referenced forms are listed in appendix A.

1-3. Explanation of Acronyms, Abbreviations and Brevity Codes. The acronyms used in this regulation are explained in the glossary.

1-4. Objective. To ensure the safe and efficient movement of vehicles and people on FLW.

1-5. Scope and Enforcement. This regulation applies to military personnel, their family members, Department of the Army (DA) civilian employees, Department of Defense (DOD) civilian employees, contractor personnel, and all other persons affiliated with FLW. Certain provisions of this regulation are punitive and are identified as such. These punitive provisions constitute a lawful general regulation, the violation of which subjects military personnel to disciplinary action under the Uniform Code of Military Justice (UCMJ). These punitive provisions apply to all military personnel regardless of Armed Force or component, who are assigned, attached, or who enter FLW. Failure to comply with provisions of this regulation may also subject military personnel, their family members, DA Civilian employees, contractor personnel, and all other persons to adverse administrative sanctions, to include suspension or revocation of installation driving privileges and exclusion from FLW. Unless otherwise stated, all regulations cited herein apply to areas which FLW has jurisdiction.

1-6. Responsibility. Commanders and activity chiefs will ensure that all personnel under their supervision are informed of this vehicle code upon assignment, attachment, or employment. Copies of the vehicle code will be available at no cost to the public at the MP Desk, Building 1000 or by visiting the Fort Leonard Wood Web site at www.wood.army.mil, click on community information link, then FLW Publications, then Regulations, then 190-5.

Chapter 2 TRAFFIC OPERATIONS

2-1. State Traffic Laws in Effect. Operation of POVs and military vehicles on FLW will conform to the motor vehicle laws of the State of Missouri except when modified in this regulation. Only substantive state motor vehicle laws are incorporated into this regulation. Procedural laws are not assimilated. Violators of motor vehicle laws may be issued violation notices and referred to the Federal Magistrate Court in accordance with AR 27-40, and AR 190-29, as supplemented, when applicable.

2-2. (Punitive) Military Police (MP) Orders. No one will at any time fail or refuse to comply with lawful orders or

directions of any MP person who is directing, controlling or regulating traffic.

2-3. (Punitive) Speed Limits. Every vehicle operator will comply with posted speed limit and drive in a careful and prudent manner and at a rate of speed so as not to endanger the property, life or limb of any person. Except for emergency vehicles, the following speed limits are in effect unless otherwise posted:

a. Twenty miles per hour (MPH) on all roadways without posted speed limit signs.

b. Twenty MPH in residential areas and school zones.

c. Fifteen MPH on all roadways used by tracked vehicles without escort or not in convoy. A convoy is comprised of five or more vehicles under provisions of FLW Regulation 210-14.

d. Fifteen MPH approaching within 200 meters of all access control points or as otherwise posted.

e. Ten MPH on service roads, in parking lots and when passing troops marching or standing in formation.

f. No one will drive at a reduced speed so as to impede or block the normal flow of traffic, except for safety reasons.

2-4. (Punitive) Radar Detection Devices. The use of radar detection devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speed is prohibited on Fort Leonard Wood.

2-5. (Punitive) Seat Belts.

a. Each driver and all passengers over the age of four in a passenger car manufactured after 1 January 1968, operated on FLW, shall wear a properly adjusted and fastened seat belt that meets Federal National Highway Transportation and Safety Act requirements.

b. Child Seat Restraint Requirements and Categories—

(1) LESS THAN 4 YEARS OLD - Children less than four years old, regardless of weight, must use a child passenger restraint system (car seat)

(2) LESS THAN 40 POUNDS - children weighing less than 40 pounds, regardless of age, will be secured in a child passenger restraint system appropriate for the child.

(3) LESS THAN 8 YEARS OLD/80 POUNDS OR UNDER 4'9" - Children (ages 4-7) and who weigh at least 40 pounds but less than 80 pounds, and are less than 4'9" tall must be secured in a child passenger restraint system or booster seat.

(4) GREATER THAN 80 POUNDS OR TALLER THAN 4'9" - Children who are at least 80 pounds or children taller than 4'9" shall be secured by a vehicle safety belt or booster seat appropriate for that child.

(5) This regulation will allow for a child to be transported in back seat without a booster seat if the child is secured with a lap belt if the vehicle is not equipped with combination lap and shoulder belt for booster seat installation.

(6) This regulation will allow when transporting children in the immediate family when there are more children than there are seating positions in the enclosed area of a motor vehicle, the children who are not able to be restrained by a child safety restraint device appropriate for the child shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front seat area. The driver transporting children under this scenario shall not be in violation of the child seat restriction.

c. Civilian taxi services operating on FLW shall require drivers and front seat passengers to wear seat belts. Rear seat passengers are required to wear seat belts if available. At no time will a taxi carry more occupants than the vehicle is designed to carry. A violation of this provision may incur a 60-day suspension of the taxi driver's installation driving privilege.

d. Any person who violates the seat belt requirement of this regulation three times during any 12-month period shall be considered to have consistently violated the FLW traffic regulations. Therefore, the driving privileges for such persons are subject to suspension in accordance with the provisions of AR 190-5 and this regulation. Persons subject to suspension under the provisions of this paragraph shall be referred by the PM Office to the Driving Privilege Adjudicator (DPA) for action, as outlined in AR 190-5, paragraph 2-6.

e. The provisions of this paragraph apply to all personnel in both POVs and government vehicles on-post, to military and civilian personnel in government vehicles off-post, and to military personnel in POVs off-post. The provisions of this paragraph shall not apply to United States postal vehicles.

2-6. Prohibited Practices.

a. (Punitive) The following practices are prohibited while in a moving vehicle:

- (1) Carrying passengers in a standing position.
- (2) Riding on loads.
- (3) Loading beyond prescribed capacity.
- (4) Sitting on the side of truck beds, hanging feet over the end of tailgates, riding on running boards or fenders or any other portions of a vehicle not designed to carry passengers.
- (5) Jumping on or off of moving vehicles.
- (6) Riding on the outside of track vehicles without command authorization.
- (7) Drivers wearing a headset or earphones while operating a vehicle. This does not apply to required hearing protection or combat vehicle crew (CVC) helmets or to hands-free telephone devices.
- (8) Driving between vehicles of a properly identified convoy or funeral procession.
- (9) Possessing or storing open alcoholic beverage containers in the passenger area of any vehicle. Any such container whose seal is broken and wherein is found any amount of alcoholic beverage will be deemed an open container. This does not preclude transportation of sealed

containers in any portion of a vehicle, nor does it preclude transportation of open containers in storage areas remote from the passenger area of the vehicle such as the trunk of an automobile.

(10) Throwing, placing, or causing to be thrown or placed, any ashes, garbage, refuse, or rubbish of any kind, nature, or description from a vehicle except in authorized receptacles and at authorized dumping or disposal areas.

(11) No person shall ride in the unenclosed bed of a truck when the truck is in operation.

(12) Vehicle operators on Fort Leonard Wood and operators of government owned vehicles shall not use cell phones unless the vehicle is safely parked or the operator is using a hands free device. The wearing of any other portable headphones, earphones, or other listening devices (except for hands free cellular phones) while operating a motor vehicle are prohibited.

- Violators of the above are subject to a fine of no more than \$50.00 or not more than 30 days imprisonment or both for each violation

(13) Soldiers operating any vehicle at any time shall not use cell phones unless the vehicle is safely parked or the operator is using a hands free device. The wearing of any other portable headphones, earphones, or other listening devices (except for hands free cellular phones) while operating a motor vehicle is prohibited.

- Violators of the above are subject to administrative actions (i.e. traffic point assessment, post driving privilege suspension/revocation, letters of reprimand).

(13) Operating a motor vehicle that is playing music at such a volume that can be heard from 100 feet away or inhibits the operator's ability to hear surrounding or approaching traffic.

(14) Operating a motor vehicle playing music at such a volume that is plainly audible from 50 feet away inhibits the operator's ability to hear surrounding or approaching traffic and jeopardizes the health, welfare, or safety of FLW residents.

(a) No person operating or occupying a motor vehicle on any street, highway, alley, parking lot, or driveway, shall operate or permit the operation of any sound amplification system, including, but not limited to, any radio, tape player, compact disc player, loud speaker, or any other electrical device used for the amplification of sound from within the motor vehicle so that the sound is plainly audible at a distance of fifty or more feet from the vehicle or, in the case of a motor vehicle on private property, beyond the property line.

(b) "Plainly audible" means any sound that can be detected by a person using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the enforcement officer need not determine the title of a song, specific words, or the artist performing the song. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.

b. The number of passengers riding in the front seat of an official military vehicle will not exceed the number prescribed in FLW Regulation 58-1.

c. Drivers will completely remove all snow, ice, frost, dirt, and debris from all windows, and headlights of their vehicles prior to setting the vehicle into motion.

d. All motor vehicles, without rear fenders, shall be equipped with mud flaps for the rear wheels when operated. If mud flaps are used, they shall be wide enough to cover the full tread width of the tires being protected.

2-7. Operating Motorcycles, MOPEDs, and Off-Road Vehicles to include ATVs.

a. (Punitive) The operation of these type vehicles will comply with the following:

(1) Operators must be at least 16 years old and possess a valid driver's license for the equipment being operated.

(2) Motorcycle operators must successfully complete a Motorcycle Safety Foundation or other approved rider or operator safety course. This course must meet the requirements of DOD 6055.4 paragraph E3.2.3.1. Failure to provide proof of completion of an approved course may result in the denial of access to the installation.

(3) Motorcycle operators will ride only on the permanently attached seat. Operators will not carry another person on a motorcycle unless the motorcycle is designed to carry more than one person. Passengers must ride on the permanent and regular seat (if designed for two persons) or on another seat firmly attached to the motorcycle at the rear or to the side of the operator.

(4) Persons riding on a motorcycle must sit facing forward with one leg on each side of the motorcycle.

(5) Motorcycle operators will not carry bundles, packages, or other articles that prevent them from keeping both hands on the handlebars.

(6) Motorcycle passengers will not interfere with the operation or control of the motorcycle or the view of the operator.

(7) Motorcycle riders will not attach themselves or the motorcycle to any other vehicle on the road.

(8) Operation will not be within any pedestrian area to include sidewalks and crosswalks.

(9) No more than two such vehicles shall ride abreast, except during lawful passing.

(10) Operators and passengers must wear the following equipment when the vehicle is in operation:

(a) Helmets: Certified to meet Department of Transportation (DOT) standards properly fastened under the chin.

(b) Goggles and Face Shields. Impact or shatter resistant goggles or full-face shield properly attached to helmet. A windshield or eyeglasses alone are not proper eye protection.

(c) Footwear. Leather boots or over the ankle, shoes are mandatory.

(d) Clothing. Long sleeved shirt or jacket, long trousers, and full-fingered gloves or mittens designed for use on a motorcycle.

(e) Garment Visibility. Reflective vest or belt visible both night and day from both the front and from rear. The vest or belt must be a minimum of 75 square inches of brightly colored reflective material on the upper torso. Operators must wear the following equipment:

b. Motorcycle operators –

(1) May use a full lane. Drivers of other vehicles will not deprive motorcycles of a lane.

(2) Will not drive between lanes of traffic or between adjacent lines of vehicles.

(3) Operate vehicle with headlight on at all times..

(4) Operate vehicle with rearview mirrors attached on each side of the vehicle/handle bars.

c. A motorcycle or MOPED owner may be subject to disciplinary action if they allow an individual to operate the vehicle when -

(1) Driving privileges are suspended or revoked.

(2) The AMSC has not been completed.

(3) Not in possession of a valid drivers license.

(4) Not wearing safety gear as stated above.

d. Operators of three and four-wheeled ATVs and other off-road vehicles must comply with the following:

(1) Wear the same protective gear as required of motorcycle operators, if the vehicle is capable of attaining a speed of 10 MPH or greater.

(2) Operate the vehicle on streets and roadways of FLW only when it is registered with the state.

(3) Operate the vehicle only in areas designated and appropriately marked.

(4) Be subject to the same punitive and administrative sanctions as drivers of motor vehicles.

(5) In addition to state laws and regulations, comply with AR 200-3 concerning authorized use, operation and owner responsibility.

2-8. Operation of Bicycles.

a. Bicycles shall be operated on this installation in accordance with good safety practices and the general rules of operation of all vehicles on the public roads and highways.

b. Bicyclists will –

(1) Ride only on a seat attached to the bike.

(2) Carry only the number of people the bicycle is designed and equipped to carry. Passengers must sit in an

authorized, attached seat. Tandem bicycles may carry as many passengers as there are seats and sets of pedals. Bicycle infant seats must be securely fastened to the bicycle

(3) Not carry bundles, packages, or other articles that prevent the bicyclist from keeping at least one hand on the handlebars.

(4) Not ride a bicycle while using a cell (mobile) phone.

(5) Ride as far to the right of the road as is possible.

(6) Bicyclists will not ride other than astride the bicycle seat except that standing on the pedals is permitted.

(7) Bicyclists will not ride more than two abreast on a roadway.

(8) Be careful when passing a stopped vehicle or a vehicle going in the same direction.

(9) Bicycles will not be parked upon a street or sidewalk.

(10) All personnel, including children riding in carriers, attached, or towed, must wear a helmet that has been tested and meets the uniform safety standard issued by the U.S. Consumer Product Safety Commission (CPSC), or one or more of the voluntary bicycle helmet standards like ASTM, Snell or ANSI.

c. Bicycles shall not be operated during the hours of darkness unless equipped with the following:

(1) A white head light facing front that is visible for a distance of 500 feet.

(2) A red light facing rear that is visible for a distance of 600 feet.

(3) Reflective vest or belt visible at night from both front and rear views.

d. Comply with post traffic regulations at all times when operating a bicycle on the reservation. In addition, sponsors of family members will ensure that any family member operating a bicycle is fully aware of post traffic regulations and is capable of operating a bicycle safely on the streets of the installation. The use of listening devices (i.e., earphones, earplugs) while operating a bicycle on the installation is prohibited.

2-9. Special and Emergency Situations.

a. During periods of reduced visibility when insufficient light exists to render objects visible at a distance of 500 feet, each moving vehicle will have illuminated two front lights and at least two rear tail lights, except motorcycles, which need only one front light and one tail light illuminated. During these periods, vehicles will not be in motion on roadways with only parking lights on. Vehicles will not operate under blackout conditions on the roadway. Headlights will be on low beam when following or meeting another vehicle or troop formation. A maximum of two fog lights may be added to the front of a vehicle, not to be used in conjunction with high beams. One additional red lamp may be added to the rear of a vehicle.

b. A tow bar will be used when towing any vehicle. A vehicle being towed will not be separated from the towing

vehicle by more than 15 feet. Persons riding on bicycles, roller skates, skateboards, sleds, or toy vehicles will not be towed or pushed by any vehicle.

c. The Military Police will post signs/barriers at pre-designated locations to warn drivers of high water or other adverse road or weather conditions.

d. (Punitive) Major repairs of vehicles will not be conducted in driveways of housing areas, traffic ways or in parking lots. A major repair is any repair disabling a vehicle for longer than 24 hours.

e. The Military Police, upon reasonable cause to believe that a vehicle is unsafe, may require the owner or operator to submit the vehicle for inspection at a state authorized inspection station if the vehicle is to be operated on the installation.

f. (Punitive) Drinking alcoholic beverages is forbidden, for subjects of a traffic accident, within 90 minutes after involvement in a traffic accident on or off-post.

2-10. Pedestrian Traffic.

a. Pedestrians will obey all traffic control signs and will use sidewalks where available. If not available, they will walk on the left side of the roadway facing oncoming traffic.

b. Pedestrians crossing a roadway will yield the right-of-way to all approaching vehicles except when in an intersection or marked crosswalk.

c. Use of headphones when walking, standing, or jogging on roadways is prohibited.

d. Soliciting of rides in any manner on roadways is prohibited. This does not preclude the use of existing courtesy ride stations, acceptance of a voluntary offer, and use of taxicabs.

e. Marching troop columns have right-of-way over all traffic except emergency vehicles and will march on the right side of the roadway. Troops will march on roads or marked trails. Road guards will wear reflective safety equipment and maintain sufficient distance from the column to ensure ample warning to vehicle drivers.

f. Joggers will maintain maximum use of sidewalks and troop trails. Where none exist, joggers will use the left side of the roadway and run in single file facing and yielding to oncoming traffic except at authorized crosswalks. All joggers will wear reflective material (visible from both front and back) during the hours of darkness or restricted visibility when jogging on any road (paved or unpaved).

2-11. Traffic Rules for Skateboards and Rollerblades/in-line skates.

a. Skaters, skateboarders, and kick-scooter riders will –

(1) Use the right side of paths, trails, and sidewalks or other designated approved areas.

(2) Not skate or ride skateboards or scooters in traffic.

(3) Yield to pedestrians.

(4) Not carry anyone or ride with more than one person on the board.

(5) Not use cell phones or wear listening devices that impede hearing and the detection of impending danger.

b. Safety equipment. Skaters, skateboarders, and kick-scooter riders will wear -

(1) Protective gear according standards for bicycle helmets cited above.

(2) Kneepads, elbow pads, and wrist guards.

(3) Light-colored clothing or reflective accessories.

c. Skateboards and rollerblades will not be used in any place where there is danger due to immediate vehicular traffic. This includes roadways, the shoulder of the road, parking lots during business hours and areas around military and civilian offices during business hours.

d. Skateboarding and rollerblades are prohibited in the following business areas at all times:

(1) Post Exchange (PX) and Commissary parking lots.

(2) Shoppettes.

(3) Burger King.

(4) Post Office.

(5) Banks.

(6) Post Gas Station.

(7) USAMANSCEM Plaza (Hoge, Thurman, and Lincoln Halls).

e. Skateboarding and rollerblading are prohibited during hours of darkness.

f. Skateboarding and rollerblading are permitted during daylight hours at the following:

(1) Sidewalks (except in the business areas noted).

(2) Playgrounds.

(3) Teen center.

(4) Other areas that do not interfere with vehicular traffic.

f. Individuals are prohibited from using benches, ramps, and other permanent structures to aid in performing stunts. This does not include approved skateboards and rollerblade parks on FLW, such as the teen center park.

g. The use of headphones or earphones while skateboarding/rollerblading is prohibited.

Chapter 3 DRIVER'S LICENSE

3-1. (Punitive) No one will operate a civilian motor vehicle with a suspended or revoked state driver's license.

3-2. The following violations may result in suspension of on-installation driving privileges for up to six months:

a. The owner knowingly and willfully permits an impaired/intoxicated person to operate the owner's vehicle.

b. The owner knowingly and willfully allows a person to operate the vehicle with a suspended or revoked license.

c. The owner knowingly and willfully allows a person to operate the vehicle while having suspended or revoked post driving privileges.

d. Operating a motor vehicle without insurance or other statutorily approved means of financial responsibility.

3-3. In accordance with FLW Regulation 58-1, the commander or activity chief will notify Transportation Motor Pool (TMP) of any individual whose military vehicle operating privileges have been suspended or revoked.

3-4. The unit commander or activity chief will determine whether an individual whose privileges to operate a civilian vehicle has been suspended or revoked will be permitted to operate a military vehicle in accordance with AR 388-55.

Chapter 4 STOPPING, STANDING, AND PARKING

4-1. (Punitive) Parking or stopping in any of the following places, except when directed by a traffic order or device, is prohibited:

a. On a sidewalk.

b. In front of a driveway except in housing areas where the owner of the vehicle may park in front of the driveway assigned to their own quarters.

c. Within 15 feet of a fire hydrant.

d. Within 30 feet of a crosswalk.

e. Within 30 feet of an intersection, refuse collection point, or loading area.

f. Alongside any vehicle (double parking) except in angle parking where permitted.

g. Within 15 feet of a building except in areas officially designated as authorized parking areas (public works, MP and other emergency vehicles excepted).

h. In or along service driveways.

i. On a seeded or grassy area.

j. Within six feet of any railroad track, except when loading or unloading railroad cars.

k. Near a mailbox in family housing areas in a manner which inhibits mail delivery.

l. Designated handicapped areas without proper documentation.

4-2. (Punitive) No driver will leave a vehicle unattended to stop, stand, or park without -

a. Setting the emergency brake.

b. Placing the transmission in reverse or first gear, or if it is automatic, in "park."

c. If on a grade, turning the front wheels to the curb or side of the roadway.

d. Turning off the engine, locking the ignition switch and taking the keys.

4-3. Vehicles parked parallel to curbs must be within 12 inches of the curb and facing in the direction of traffic, and within boundary lines of angled parking or markings on curbs or pavement.

4-4. Vehicles parked in parking lots will be in marked stalls only.

4-5. (Punitive) Parking along the streets of housing areas is permitted only when vehicles are parked headed in the direction of traffic and on the side of the street with even numbered quarters (house numbers, not Directorate of Public Works (DPW) building numbers). Family quarters without driveways are authorized one parking space and can park additional POVs on the street in accordance with the above. On circular streets, vehicles will be parked against the outer curb.

4-6. Visitor parking in the housing area is reserved for guests of quarters' occupants. It will be used on a first-come, first-serve basis, as will all other visitor parking and undesignated parking spaces on post.

4-7. (Punitive) Visitor parking will not be used to park campers, trailers, boats, oversized vehicles, or any other kind of recreational vehicle, except by authorized visitors.

4-8. (Punitive) No person will use parking areas to avoid thoroughfares.

4-9. Reserved Parking.

a. The PM is authorized to alter or direct changes in any parking area plans for the purposes of promoting safety, regulating the flow of traffic, or providing emergency or temporary parking for special events.

b. All requests for reserved parking within unit/headquarters areas will be submitted through the PM to DPW for approval and will be limited to the following:

(1) Company level – CDR, first sergeant (1SG), executive officer (XO), and platoon leaders.

(2) Battalion and brigade level – Cdr, XO, command sergeant major (CSM), S-1, S-2, S-3, and S-4.

(3) Directorate level activity – Director, Deputy Director, and sergeant major (SGM).

(4) Major subordinate branch (Directorate level activities) – Chief.

(5) Non-Directorate level activity (division support mission) – one space.

(6) Non-Directorate level activity (post mission) – one space.

(7) Handicapped areas, appropriately marked.

(8) Reserved parking spaces for military vehicles will be established based on activity requirements, not by individual or position.

(9) Reserved parking for visitors will be established based on activity requirements and space availability.

(10) Reserved parking spaces shall not comprise more than ten percent of the total number of parking spaces in any single parking lot.

c. Enforcement of reserved parking within unit areas is the responsibility of the commander responsible for the parking area.

d. Requests for exception to the reserved parking guidelines will be submitted through the DPW to Garrison Commander (GC) for approval.

e. Reserved parking at Post Headquarters buildings or annexes will be as directed by the Commanding General or his designated representative.

f. Parking at facilities serving customers such as the PX and the Commissary will be limited to short-term parking as determined by the facility commander.

g. DPW is responsible for construction and emplacement of reserved parking signs as requested by commanders/activity chiefs.

4-10. (Punitive) Parking along named or numbered roadways, except in areas specifically designated for parking and along wide paved shoulders (i.e. Iowa Avenue), is strictly prohibited. Parked vehicles will not hinder the free movement of vehicular traffic.

4-11. (Punitive) Children under the age of ten will not be left unattended for any length of time in a motor vehicle.

4-12. (Punitive) Abandoned Vehicles. Motor vehicles will not be left unattended on roads or streets of FLW.

a. The Provost Marshal can identify any motor vehicle, trailer, all-terrain vehicle, outboard motor, or vessel, left unattended and unattended for 72 hours or more as abandoned that meets the following requirements —

(1) A vehicle that is not operational.

(2) A vehicle not displaying current registration.

(3) A vehicle that is illegally parked or causing a safety hazard.

b. In the event of a mechanical failure the operator will make every attempt to prevent the vehicle from obstructing traffic. If unable to do so, the operator will immediately notify the Military Police of the vehicle's location and the expected removal time.

c. Military Police are authorized to move any vehicle, which is causing a safety hazard.

d. Any motor vehicle found on FLW unattended will be considered by the individual finding such vehicle as the private property of another, and the vehicle will be respected as such. No person will tamper with such vehicle.

4-13. Impounding of Abandoned or Unclaimed Vehicles.

a. Implied consent to impoundment. Any person granted the privilege to operate or register a motor vehicle on a military installation shall be deemed to have given his or her consent for the removal and temporary impoundment of the POV when it is parked illegally, or for unreasonable periods, as determined by the installation commander or applicable authority, interfering with military operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, or abandoned. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded. Existence of these conditions will be determined by the installation commander or designee.

b. Any motor vehicle left unmoved and unattended for 72 hours or more will be impounded by the Military Police or an authorized towing company for safekeeping if the owner cannot be identified or contacted to make disposition of the vehicle. Vehicles will normally not be impounded if the owner is identified and it is determined he is on leave, temporary duty (TDY) or authorized pass. However, these facts may be overridden by the need to safeguard the vehicle from theft, damage or vandalism, or if the vehicle is a safety hazard.

c. Motor vehicles which are impounded will be returned to their owner upon presentation of proof of ownership and payment of towing and storage fee to the contracted towing company. Vehicles impounded as a safety hazard or towed due to operator non-compliance with the laws of Missouri or regulations of this installation, will be towed from the lot at the expense of the owner.

d. The PMO is the only organization authorized to operate a vehicle impoundment lot on FLW.

e. Any PM controlled lot will be used only for securing abandoned or unclaimed vehicles and vehicles seized as evidence.

f. The impound lot will not be used as a safe haven for vehicles belonging to persons who are absent without leave (AWOL) or in confinement. The unit commander will be responsible for securing the vehicle in the unit area until final disposition of the individual is determined.

g. Unit commanders will ensure that members of their commands make provisions for securing their vehicles when away from the installation on leave, TDY, authorized pass, or field exercises.

h. Standards and procedures for impounding POVs will be conducted as outlined in AR 190-5, Chapter 6.

Chapter 5 TRAFFIC POINT SYSTEM

5-1. The traffic point system provides the military services with an impartial and uniform administrative device for evaluating driving performances of personnel under their jurisdiction (see Appendix F). The use of this system is not to be construed as a disciplinary measure or substitute for punitive action. It is not intended to interfere with the installation commander's prerogative to issue, suspend, revoke, or deny installation driving privileges for cause without regard to point assessment made under this chapter.

5-2. Use of this system and its provisions is mandatory and cannot be modified or altered. The point system applies to

all military and civilian personnel and family members operating both POVs and government vehicles on-post, to military and civilian personnel operating a government vehicle off-post, and military personnel operating a POV. Points will be assessed when an individual has been found to have committed a violation by the unit commander, the civilian supervisor, or a military or civilian court, or upon payment of fine or forfeiture. The point system is further defined in AR 190-5, Chapter 5.

5-3. Within a 12-months period, 8-11 traffic points assessed may result in the suspension of on-post driving privileges for six months, and the accumulation of 12 points or more within a 12-months period may result in a 12-month revocation; 18 points assessed over a 24-month period may also result in a 12-month revocation. Administrative due process for suspensions and revocations is outlined in appendix B. Under special circumstances, restricted driving privileges may be obtained. Criteria is outlined in appendix C.

5-4. Military personnel, family members, retirees, and federal civilian employees shall be required to attend the Accident Avoidance Course when they accumulate eight or more traffic points within a 12-month period for moving violations assessed either by the commander, a military or civilian court, or upon payment of a fine or forfeiture. Commanders/supervisors/sponsors will ensure that personnel concerned attend the course upon receipt of notification. Attendance shall be coordinated with the MANSSEN Safety..

Chapter 6 ALCOHOL-RELATED DRIVING OFFENSES PROCEDURES

6-1. Suspension of installation driving privileges will occur when an individual is deemed unfit to operate a motor vehicle due to impairment caused by alcohol consumption, either on or off the installation.

a. The office of the PM is designated by the installation commander for the review and immediate suspension of installation driving privileges for all personnel apprehended on or off-post for an alcohol-related driving offense.

b. The office if the Staff Judge Advocate is authorized to conduct reviews and impose suspensions in cases where the designated reviewer is not reasonably available and in his judgment, such immediate action is warranted.

c. An individual charged with an alcohol-related driving offense, on or off-post and whose on-post driving privileges are currently revoked or suspended for a prior alcohol-related driving offense, will automatically have their installation driving privileges revoked for five additional years.

6-2. An individual found to be driving a POV on-post, whose on-post driving privileges are currently revoked or suspended, will automatically have their installation driving privileges revoked for five additional years.

6-3. Upon completion of a specified period of suspension or revocation an individual will apply in writing for restoration of their installation driving privileges prior to operating a motor vehicle on the installation (see appendix D).

6-4. An individual convicted of an alcohol-related driving offense on or off-post, must attend the Substance Abuse Traffic Offenders Program (SATOP) as remedial driver

training and complete all other requirements for restoration of their installation driving privileges (see appendix D).

6-5. Administrative Hearings for Suspension of Driving Privileges on the Special Maritime and Territorial Jurisdiction of the United States.

a. Pursuant to 18 U.S.C. § 3118(b), an operator of a motor vehicle who refuses to take a BAC test on Fort Leonard Wood is subject to a one-year revocation of his privilege to operate a motor vehicle anywhere within the special maritime and territorial jurisdiction of the United States. The special maritime and territorial jurisdiction of the United States includes military installations, national parks, and Native American reservations.

b. Upon receiving a Military Police Report that documents a BAC refusal, the Litigation Division of the Office of the Staff Judge Advocate will review the report for evidentiary sufficiency. If the Litigation Division believes there is sufficient evidence to trigger the provisions of 18 U.S.C. 3118(b), then the Litigation Division will prepare a notification packet (a notification memorandum and a request for an administrative hearing) for the Provost Marshal's signature. After the Provost Marshal signs and dates the notification memorandum, the Litigation Division will mail the packet to the subject via certified mail, return receipt requested.

c. The subject will have five working days from receipt of the notice to request an administrative hearing. If the subject does not request a hearing, then the subject's driving privileges will be revoked for one year from the date of the refusal. If, however, a request is postmarked before the stated deadline, the Litigation Division will notify the DPA. The Litigation Division will simultaneously give the DPA the Government's documentary evidence for the hearing. The DPA will set and notify the subject of the date, time, and place for the hearing. The hearing must occur within ten working days after the request is received. The DPA will act on any requests for delay that the subject may submit, as needed.

d. The DPA will conduct the hearing IAW the procedures outlined in Appendix E. The subject may present information on his behalf. The DPA will notify the subject of the decision in the case via certified mail, return receipt requested. In addition, the DPA will include a memorandum for record summarizing the proceedings and explaining his decision on each of the four issues being resolved. The subject will also be informed that he has ten working days after receipt in which to file an appeal. The DPA should also provide a copy of the decision and the memorandum for record to the appellate authority if the subject appeals the decision.

(1) Either the Law Enforcement Command or the Office of the Staff Judge Advocate, Litigation Division, may provide a representative to present evidence at the hearing on behalf of the government.

(2) The subject may present information on his behalf.

(3) The DPA is responsible for notifying all parties about the hearing's administrative details, such as its time, its location, and the uniform for participants.

e. Pursuant to 32 C.F.R. § 62b.4 and AR 190-5, paragraph 2-6c(10), the administrative refusal hearing will address the following questions:

(1) Did the law enforcement official have reasonable grounds to believe that the subject had been operating or was in actual physical control of a motor vehicle while intoxicated?

(2) Was the subject lawfully cited or apprehended for an intoxicated driving offense?

(3) Was the subject lawfully requested to submit to a BAC test?

(4) Did the subject refuse to submit to or fail to complete a BAC test required by the law of the State of Missouri?

f. If the DPA finds that all of the questions posed in paragraph e, above, are answered in the affirmative by a preponderance of the evidence, then the subject will be notified that his privilege to operate a motor vehicle anywhere within the special maritime and territorial jurisdiction of the United States will be revoked until one year after the date of his BAC test refusal. If the questions are not answered in the affirmative, then the preliminary suspension of the subject's driving privileges shall be vacated.

g. If the one-year revocation is imposed, the subject will have the right to request reconsideration of the DPA's decision. This request must be forwarded through command channels (the subject's military chain of command, if appropriate, and the Garrison Commander) to the Fort Leonard Wood Commanding General within ten working days from the date the subject is notified of the revocation. The revocation will remain in effect pending a final ruling on the request.

h. The DPA's findings in the administrative refusal hearing are solely for the purpose of acting on the subject's preliminary suspension. The DPA's findings will not prejudice the rights of any party in a subsequent criminal or administrative proceeding involving the same or a related incident.

Chapter 7 SPECKER BARRACKS COMPLEX

7-1. Purpose. To provide vehicular standards and internal traffic patterns for the Specker Barracks Complex.

7-2. Objectives.

a. To establish a single point of contact for control of vehicular traffic in the Specker Barracks Complex.

b. To reduce sidewalk maintenance requirements.

c. To maintain a good appearance and reduce damage to seeded areas and facilities resulting from vehicular operation.

d. To increase safety of pedestrians.

7-3. General. The following vehicular restrictions will be adhered to in the Specker Barracks Complex.

a. No POVs, taxicabs or food delivery vehicles, other than government contracted vehicles, will be allowed in the complex.

b. Military vehicles will be allowed in the complex under the following conditions:

(1) The following vehicles will be allowed in the complex only if the nature of the work dictates easy accessibility to the vehicle for emergency response or other administrative duties: DPW admin, DPW contractor's admin and repair, Fire Department admin, telephone repair, furnishings management vehicles, and billeting maintenance/supply vehicles will be allowed in the complex only for emergency situations. All vehicles of this nature must have permits displayed while in the complex area and should be parked on the existing wide sidewalks or on designated pull out/parking areas.

(2) MP vehicles, Fire Department emergency response vehicles, and ambulances. MP vehicles may also be used to conduct routine patrolling of the complex.

(3) Military tactical vehicles will not be allowed within the complex. Exceptions must have prior authorization from the DPW.

(4) Vehicles of any type, other than described above may be allowed in the complex but must have prior authorization from DPW. Requests may be made telephonically.

c. Civilian transportation vehicles contracted by Directorate of Logistics (DOL), Transportation Division for the purpose of moving service member's household goods/hold baggage into/out of the complex will be allowed within the complex but may not exceed a gross weight of 24,000 pounds.

d. United States Postal Service vehicles or similar parcel post service vehicles will be allowed into the complex to facilitate large or bulky deliveries.

e. The speed limit will be 5 MPH in the complex.

f. Right-of-way will be given to pedestrians within the complex at all times.

g. Any vehicle permitted within the Specker Complex must drive or park on existing wide service drives or on designated parking areas.

Chapter 8 MILITARY POLICE TRAFFIC ACCIDENT PROCEDURES

8-1. Traffic Accident Investigation.

a. All vehicle accidents regardless of severity will be reported to the Military Police immediately. If participants are incapacitated, the accident will be reported by other occupants or witnesses.

b. Military Police will conduct an investigation of all traffic accidents involving POVs and government vehicles resulting in any damage or injury. Conducting an accident investigation in a field or training environment will take precedence over participation of the involved vehicle(s) or personnel in the tactical or training scenario.

c. (Punitive) Drivers involved in a traffic accident must give name, address, organization, telephone number, vehicle registration, proof of insurance, and driver's license upon request to Military Police.

d. (Punitive) Vehicle occupants or other witnesses will provide name, address, organization and telephone number upon request by Military Police.

e. Accidents involving government vehicles off-post will be reported to the local authorities.

8-2. Protecting the Traffic Scene.

a. Priority will be given to treatment of persons injured as the result of a traffic accident, including evacuation when necessary.

b. (Punitive) Except when necessary to aid in removal of injured persons, no person will move or otherwise tamper with vehicles and property, government or private, until released by investigating Military Police. When location of vehicles or property involved in an accident pose a safety or movement hazard, those persons at the scene will establish emergency traffic control pending arrival of Military Police who will assume subsequent responsibility.

c. Persons involved in a traffic accident and all witnesses will remain at the scene until released by investigating Military Police. The only exception is for persons evacuated for treatment of injury.

8-3. Traffic Accident Investigation Reports.

a. All reports of accidents investigated by Military Police involved military personnel or government property will be furnished through command channels to the appropriate commander(s) or activity director(s).

b. Military or civilian personnel desiring copies or reports concerning POVs accidents can request them from the FLW, MP Operations Office Records Section, Building 1000.

c. The traffic accident investigation report does not relieve unit commanders of the requirement to complete DA Form 285 (U.S. Army Accident Report) IAW 385-40.

8-4. Accidents.

a. The driver of a vehicle involved in an accident will stop immediately as close to the scene as possible without obstructing traffic and perform the following:

(1) Render first aid if necessary.

(2) Report the accident to the MP by giving their name, rank, organization and location of accident. In cases involving civilian employees, they will give their name, work section, and locations of accident.

(3) Remain at the scene until released by the MP.

b. The drivers of both vehicles involved in the accident will exchange their names, addresses, vehicle information, and insurance information.

c. (Punitive) The driver of a vehicle that has damaged an unattended vehicle will stop immediately and attempt to locate the owner/operator of the other vehicle. If unable to locate, the driver, will leave, in a conspicuous place on the

other vehicle, a written notice containing their name, address, phone number, and a statement of the circumstances. The driver will then report the incident to the MP immediately following the accident.

d. The driver of a military vehicle will also complete a DA Form 518.

Chapter 9 OPERATING GOVERNMENT VEHICLES DURING DEGRADED ROAD CONDITIONS

9-1. Risk assessments will be completed prior to movement to identify hazards when there has been a change to normal road conditions.

9-2. Operation of non-tactical vehicles assigned to the TMP is governed under FLW Regulation 58.1.

9-3. Tactical vehicles will be dispatched for mission essential duties only. Dispatches must be approved by:

- a. AMBER – Officer, SGM, or branch chief.
- b. RED – Battalion Commander/LTC.
- c. BLACK – Brigade Commander/COL.

Chapter 10 ROAD CLOSURE

10-1. Notification. Units, construction companies and utility companies will notify DPW and the PM Office of any road closures. The notification will list the reason why the road is to be closed, the unit or company's point of contact, the location of the closure, means of traffic control closure, time and date of closure and time and date of reopening. This notification may be telephonic. The unit or company will be responsible for any further notifications or changes to the traffic control plan that the DPW and the PM office deem necessary. The DPW and the PM office have the authority to deny any request that may interfere with the safety or day-to-day operations of FLW.

10-2. Physical Training Run Route (Safe and Secure Routes). No vehicles, except emergency vehicles, are authorized to travel on any designated physical fitness run route. Violators may be cited. For further information, contact the MANSCEN Safety Office.

Appendix A REFERENCE AND FORMS

Section 1. Required references.

- a. AR 15-6 (Procedures for Investigating Officers and Boards of Officers). Cited in paragraph D-2c.
- b. AR 27-40 (Litigation). Cited in paragraph 2-1.
- c. AR 190-5 (Motor Vehicle Traffic Supervision). Cited in para 2-5d, 4-13g, 5-2, B-1, C-1, and D-1, D-3c.
- d. AR 190-29 (Misdemeanors and Uniform Violation Notices Referred to U.S. Magistrate or District Courts). Cited in para 2-1.
- e. AR 200-3 (National Resources – Land, Forrest, and Wildlife Management). Cited in paragraph 2-7c (5).

f. AR 385-40 (Accident Reporting and Records). Cited in paragraph 8-3c.

g. AR 385-55 (Prevention of Motor Vehicle Accidents). Cited in paragraph 3-4.

h. Uniform Code of Military Justice. Cited in paragraph 1-5.

i. FLW Regulation 58-1 (Management of Non-Tactical use Vehicles). Cited in paragraph 2-6b and 3-3.

j. FLW Ref 210-14 (Range and Training Area Regulations). Cited in paragraph 2-3c.

Section II. Referenced forms.

- a. DD Form 1173, Uniformed Services identification and Privilege Card.
- b. DD Form 1408, Armed Forces Traffic Ticket).
- c. DD Form 1805, United States District Court Violation Notice.
- d. DA Form 285, US Army Accident Report.
- e. DA Form 518, Motor Vehicle Accident Report.
- f. DA Form 3626, Vehicle Registration/Driver Record.
- g. OF 346, US Government Motor Vehicle Operator's Identification Card.

Appendix B ADMINISTRATIVE DUE PROCESS FOR SUSPENSIONS AND REVOCATIONS

B-1. Purpose. This appendix establishes procedures in which the installation commander through his designee may, for cause, administratively suspend or revoke driving privileges on the installation IAW AR 190-5, paragraph 2-5 and 2-6.

B-2. DPA.

a. The installation Commander has designated the DPA as the suspension and revocation authority for all traffic offenses.

b. The DPA will be a neutral and detached judge Advocate.

c. The DPA's primary responsibility is to notify the affected person of the suspension/revocation action and offer that person an administrative hearing as outlined in appendix E, paragraph E-3, this regulation.

B-3 Unit Commander. Unit commanders or supervisors may recommend suspension of driving privileges of personnel under their command to the DPA without regard to the traffic point system. All requests for suspension of installation driving privileges will be routed through command channels through the PM to the DPA for action. Included with each request will be a list of all actions taken by the commander/supervisor to improve the individual's driving performance.

B-4. Alcohol Related Driving Offenses.

a. Reliable evidence readily available will be presented promptly by the PM office to the designated officer for review. Reliable evidence includes material such as witness statements, military or civil police reports of apprehension, chemical tests, if completed, refusal to consent to complete chemical testing, field sobriety or preliminary breath test results and other pertinent evidence. Reviews normally will be accomplished within the first normal duty day following final assembly of evidence.

b. The individual whose driving privileges have been suspended will be informed of the right to request a hearing in writing through the PM to the DPA to determine if post driving privileges will be restored pending resolution of the charge. The request must be made within ten days of the notice of suspension. Hearings on suspension actions for alcohol-related driving offenses will be conducted IAW appendix E.

Appendix C REQUESTS FOR RESTRICTED DRIVING PRIVILEGE

C-1. General.

a. General probation to enable an individual to operate a vehicle on the installation will not be granted.

b. RDP will not be granted to any person whose driver license is under suspension or revocation by any state or federal licensing authority.

C-2. Procedures. Following notification of a suspension or revocation of installation driving privilege, an individual may request a RDP. The request will be made by memorandum addressed through the unit commander and the PM office to the DPA (if military). Requests from civilians will be by letter addressed through the PM office to the DPA. The following will be discussed separately:

a. Specific reasons for a RDP is required and must meet the criteria outlined below.

b. Considerations to be used in evaluating requests for restricted driving privileges -

(1) A valid adverse military mission impact, serious family hardship or detrimental effect on an ongoing or contemplated alcohol/drug treatment/rehabilitation program would result from the revocation/suspension.

(2) If other members of the family are not licensed drivers, a reason will be provided as to why they cannot drive or obtain a valid state driver's license.

(3) Attendance at a remedial driver training course is mandatory. The RDP cannot be granted unless the individual has attended and successfully completed the course.

(4) An evaluation must be made by an alcohol/drug treatment center for cases involving alcohol or drugs. The restricted privilege cannot be granted unless the individual has been evaluated.

(5) Consideration must be made of the individual's past driving record both on and off the installation.

c. For suspensions or revocations resulting from alcohol-related driving offenses, an evaluation from an alcohol/drug treatment center shall be included with the request for RDP. Active duty and retired service members, their family

members and DA civilians may obtain an evaluation from the ADAPC on-post. Other civilians will obtain an evaluation from an appropriate off-post facility. The evaluation will indicate that the individual has been evaluated and has no problems, is scheduled to attend treatment, or has completed such treatment.

d. On receipt of the initial request from the individual, the unit commander will carefully review and evaluate the request. If the request is complete and based on an adverse military mission impact, a statement will be included by the commander stating why adequate military transportation is not available for the individual to perform his job. The commander will then make an appropriate recommendation through the PM office to the DPA. Endorsements must be signed by the appropriate commanders. "For the Commander" signatures are not acceptable.

Appendix D REQUESTS FOR RESTORATION OF INSTALLATION DRIVING PRIVILEGE

D-1. General. Acquittal, dismissal, or failure to prosecute any alcohol related driving offense will not result in vacation of suspension or revocation of driving privileges unless the preponderance of the evidence available to the determining authority establishes that no alcohol related offense occurred IAW AR 190-5, paragraph 2-10.

D-2. Procedures.

a. Application for restoration will be by written request through the commander to office of the PM (for military). Civilians will send requests, in writing, to the PM Office, Building 1000.

(1) Requests for restoration of installation driving privileges shall be accomplished by proof of completion of a SATOP due to an alcohol-related driving offense. For non-alcohol-related suspensions/revocation, proof of completion of the Accident Avoidance Course must be after the suspension/revocation.

(2) For suspensions and revocations resulting from alcohol-related driving offenses, an evaluation from an alcohol/drug treatment center shall be included with the request for restoration of installation driving privileges. Active duty and retired service members, their family members, and DA civilians may obtain an evaluation from the ADAPC Center on-post. Other civilians may obtain evaluation from an appropriate off-post facility. The evaluation will indicate that the individual has been evaluated and has no problems, is scheduled to attend treatment, or has completed such treatment.

(3) On receipt of the initial request from the individual, the unit commander will carefully review and evaluate the request. If the required evaluations are completed, the commander will then make an appropriate recommendation to the next higher element of the chain of command. Endorsements must be signed by the appropriate commanders. "For the Commander" signatures are not acceptable. Commanders will forward their recommendation in a timely manner. In cases where all requirements for reinstatement have been met, but the commander recommends disapproval, he/she must provide justification for why the privilege should not be reinstated.

b. Upon acquittal (a finding of not guilty) an individual may apply in writing for full restoration of his driving

privileges prior to operating a motor vehicle on this installation. Application for restoration will be by written request through the chain of command (for military) and forwarded through the PM office to the DPA. Civilians will submit a request in writing through the PM office to the DPA. Persons may still be required by their commander to show proof of completion of an Accident Avoidance course or SATOP and evaluation by the ADAPC, for alcohol-related offenses. The results will be attached as part of the request for restoration.

Appendix E ADMINISTRATIVE HEARINGS

E-1 Purpose. This appendix establishes guidance in preparing and conducting administrative hearings requested under the provisions of AR 190-5, paragraphs 2-5 and 2-6.

E-2. General.

a. Administrative hearings are not required when individual driving privileges are suspended or revoked or withdrawn by civil authorities of the state of Missouri or the state which issued the individual's driver license. In such cases, installation driving privileges are automatically withdrawn.

b. The administrative hearing will be conducted by the DPA.

c. Administrative hearings will be conducted under the general guidelines of AR 15-6. Verbatim transcripts are not required; however, if one is made, a copy will be enclosed with the hearing results.

d. The DPA is solely responsible for conducting the hearing. Witnesses may be called to testify at the hearing if determined appropriate by the DPA.

E-3. Hearings on Suspension and Revocation Actions for Intoxicated Drivers. Determination of guilt or innocence is not the purpose of the hearing and such findings will not be made. Administrative hearings will cover only the pertinent issues of whether or not the following occurred:

a. The law enforcement official had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of an intoxicant.

b. The apprehension was lawful.

c. The person was lawfully requested to submit to a blood alcohol content test, and had been informed of the consequences of refusal to take or complete such test (unless incapable of refusing, as described in AR 190-5, paragraph 2-6c(10)(d).

d. The person refused to submit to the blood alcohol content test, failure to complete the test, submitted to the test and the results was 0.08 percent or higher blood alcohol content for an on-post apprehension, or in violation of state laws for an off post apprehension.

e. The law enforcement official had probable cause to believe, and can show proof that the person was driving or in actual physical control of a motor vehicle while impaired although the blood alcohol content was less than 0.08.

f. The testing method used was valid and reliable, and the results accurately evaluated.

Appendix F
TRAFFIC POINT SYSTEM

STATUTE	DESCRIPTION	ROC?	POINTS
304.022	Activated siren/warning lights on emergency vehicle when not in pursuit/on emergency mission	Y	2
303.025	As owner, oper or auth another to oper a mtr veh w/out maintain financel respons (mtr veh reqrd to be reg)	Y	4
302.260	Authorized or knowingly permitted person to drive mtr veh who had no legal right	Y	4
304.017	Car/motorcycle/truck under 18000 lbs followed another vehicle too closely	Y	2
302.250	Caused or knowingly permitted child or ward under age 16 to drive mtr veh	Y	4
304.015	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, causing immed threat of accident	Y	2
304.015	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, resulting in accident	Y	2
304.015	Changed lanes when movement could not be made with safety on roadway having 3 or more lanes	Y	2
302.233	Commits/assists another in committing fraud/deception during license examination	Y	12
304.016	Cut in on overtaken vehicle	Y	2
302.220	Display or possess fictitious-canceled-suspended-revoked-altered drivers license	Y	2
302.780	Drive comm motor vehicle/BAC over .04%	Y	2
302.727	Drive comm mtr veh while comm mtr veh license is revoked, suspended or cancelled	Y	12
302.727	Drive comm mtr veh while driver is disqualified from operating a comm mtr vehicle	Y	2
302.725	Drive comm mtr veh without comm driver's license in possession <i>Note. Production of proof that the license had been issued before the ticket date by the time of trial or payment date is a defense.</i>	Y	2
302.725	Drive comm mtr veh without comm mtr veh driver's license	Y	2
302.725	Drive comm mtr veh without proper class of license/endorsement	Y	2
303.370	Drive motor vehicle on highway while driver's license is suspended/revoked pursuant to Chap 303	Y	12
307.400	Driver under 21 transported hazardous material	Y	2
302.321	Driving while revoked (suspended for stealing motor fuel as per Sec 302.286)	Y	12
304.011	Drove at speed less than 40 mph on interstate highway	Y	2
304.011	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y	2
302.780	Drove comm motor vehicle under influence of controlled substance	Y	8

302.780	Drove comm vehicle with willful/wanton disregard for safety	Y	2
304.015	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic	Y	2
304.015	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic, resulting in an accident	Y	2
304.015	Drove in cntr lane of 3 lane rdwy when view obstructd or not clear of traffic, causing immed threat of accident	Y	2
302.321	Drove mtr veh on hwy while drivers lic suspended for improprieties in compact state	Y	12
229.210	Drove on bridge/hwy under construction/improvement that was closed by barriers	Y	2
304.035	Drove through RR crossing without sufficient space	Y	2
304.035	Drove through RR crossing without sufficient undercarriage clearance on vehicle	Y	2
304.016	Drove vehicle to left side of roadway when view obstructed by hill or curve	Y	3
304.016	Drove vehicle to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y	3
304.016	Drove vehicle to left side of roadway within 100ft of intersec/railroad grade crossing	Y	3
304.015	Drove wrong direction on hwy divided into two or more rdwys	Y	2
304.015	Drove wrong direction on hwy divided into two or more rdwys, causing an immed threat of an accident	Y	2
304.015	Drove wrong direction on hwy divided into two/more rdwys, resulting in an accident	Y	2
577.010	DWI - alcohol	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - prior offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication	Y	8 – 1st offense

			12 – 2nd offense
577.010	DWI - drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense
304.311	Entered/traveled in a lane over which a red signal was shown	Y	3
304.010	Exceeded posted speed limit (exceeded by 1 - 10 mph)	Y	3
304.010	Exceeded posted speed limit (exceeded by 11 - 15 mph)	Y	4
304.010	Exceeded posted speed limit (exceeded by 16 - 19 mph)	Y	5
304.010	Exceeded posted speed limit (exceeded by 20 mph or more)	Y	6
577.012	Excessive BAC	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - prior offender	Y	8 – 1st offense 12 – 2nd offense
304.022	Fail proceed w/cautn/yld right-of-way/reduce spd when approach statnry emergncy veh dsply red/blue light	Y	4
577.600	Fail to comply with court order requiring use of ignition interlock device-1st ofns	Y	2
577.600	Fail to comply with court order requiring use of ignition interlock devic-2nd ofns	Y	2
304.015	Fail to drive in rgt hand lane of rdwy with 3 or > lanes when travel at speed < normal, resulting in accident	Y	2
304.035	Fail to slow comm mtr veh when approaching RR grade crossing	Y	2
577.065	Fail to stop and report ATV accident to prop ownr/injur person or police officer/law enforcmnt agency	Y	2
304.351	Fail to yield to approaching vehicle when entering/crossing hwy from alley/driveway	Y	4
304.351	Fail to yield to approaching vehicle when turning left into alley/private road/driveway	Y	4
304.022	Fail to yield to emergency veh sounding siren and displaying red/blue light	Y	4
302.175	Failed to comply with condition of restricted drivers license (for vision)	Y	2
302.178	Failed to comply with conditions of intermediate driver's license	Y	2

302.301	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y	2
307.070	Failed to dim lights when within 500 ft of oncoming veh/300 ft of rear of a veh	Y	2
307.040	Failed to display lighted lamps on mtr veh/mtr drawn veh/motorcycle as required (general law)	Y	2
304.015	Failed to drive in right hand lane of rdwy with 3 or more lanes when travel at speed < normal, causing immed threat of accident	Y	4
304.015	Failed to drive in right hand lane of roadway with 3 or more lanes when traveling at speed less than normal	Y	4
304.015	Failed to drive on right half of rdwy when rdwy was of sufficient width	Y	4
304.015	Failed to drive on right half of rdwy when rdwy was of sufficient width, causing an immed threat of accident	Y	4
304.015	Failed to drive on right half of rdwy when rdwy was of sufficient width, resulting in an accident	Y	4
304.015	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, causing immed threat of accident	Y	4
304.015	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, resulting in an accident	Y	4
304.015	Failed to drive within right lane of hwy with 2 or more lanes in same direction	Y	4
304.015	Failed to drive within single lane on roadway having 3 or more lanes	Y	4
304.015	Failed to drive within single lane on roadway having 3 or more lanes, causing an immed threat of an accident	Y	4
304.015	Failed to drive within single lane on roadway having 3 or more lanes, resulting in an accident	Y	4
304.341	Failed to make/approach for left turn within proper lane	Y	4
304.341	Failed to make/approach for right turn as close as practicable to right curb/edge of roadway	Y	4
304.015	Failed to obey official signs temp designating lanes, causing an immed threat of an accident	Y	4
304.015	Failed to obey official signs temporarily designating lanes	Y	4
304.015	Failed to obey official signs temporarily designating lanes, resulting in an accident	Y	4
304.271	Failed to obey traffic control device	Y	4
304.019	Failed to signal/gave improper signal when stopping/turning left or right	Y	2
304.351	Failed to slow to reasonable speed for existing conditions or stop for yield sign	Y	2
304.301	Failed to stop for flashing red signal at stop line/crosswalk/point nearest intersec	Y	4
304.050	Failed to stop for school bus receiving/discharging school children	Y	4
304.281	Failed to stop for steady red signal at crosswalk/stop line/point nearest intersec	Y	4

304.351	Failed to stop for stop sign at stop line/before crosswalk/point nearest intersec	Y	4
304.030	Failed to stop loaded bus or hazardous/ inflammable/corrosive materials truck for railroad grade crossing	Y	2
43.170	Failed to stop or obey reasonable signal direction of patrolman	Y	4
304.341	Failed to turn as directed or required by intersec traffic control device	Y	4
302.020	Failed to wear protective/approved headgear when on motorcycle in motion	Y	3
304.351	Failed to yield after stopping to vehicle that entered intersec/so close to cause hazard	Y	4
304.291	Failed to yield right of way to pedestrian facing walk signal	Y	4
304.281	Failed to yield right of way to vehicle/pedestrian lawfully in controlled intersec/crosswalk	Y	4
304.080	Failed to yield to blind pedestrian with guide dog or white cane	Y	4
304.351	Failed to yield to vehicle approaching from opposite direction when turning left	Y	4
304.351	Failed to yield to vehicle on right that entered intersec at approximately same time	Y	4
304.351	Failed to yield to vehicle that had entered intersec with no traffic control	Y	4
304.678	Failure of operator of motor veh to maintain safe distance when passing bicycle	Y	2
304.678	Failure of operator of motor veh to maintain safe distance when passing bicycle - involves accident	Y	2
302.130	Failure to comply with temporary instruction/driver permit	Y	2
304.035	Failure to obey RR-hwy grade crossing restrictions not specified	Y	2
304.035	Failure to obey traffic control device/direction of enforcement official at RR crossing	Y	2
303.040	Failure to report accident to DOR within 30/10 days	Y	2
304.035	Failure to stop at RR track	Y	2
304.044	Followed another bus/truck closer than 300 ft	Y	2
304.013	Handicapped person operated ATV on primary highway	Y	2
304.013	Handicapped person operated ATV on roadway between the hours of official sunset and sunrise	Y	2
304.013	Illegally operating ATV on highway for agricultural purposes between official sunset and sunrise	Y	2
304.013	Illegally operating ATV upon highway	Y	2
304.023	Improper passing of a streetcar	Y	2
304.016	Increased speed while being passed	Y	2
390.066	Knowingly allow person to drive a comm veh while the person's lic is suspended/revoked/cancelled	Y	4
302.233	Knowingly conceal/provide false info/commit fraud in application for license/permit	Y	12

577.065	Leaving scene of ATV accident--death or 2nd ofns	Y	12
577.065	Leaving scene of ATV accident--injury	Y	12
577.060	Leaving scene of motor vehicle accident	Y	12
577.060	Leaving scene of motor vehicle accident--injury, property damage or 2nd ofns	Y	12
302.230	Made false statement/affidavit or knowingly swore/affirmed falsely to any matter req by Sec 302.010-302.540	Y	12
304.341	Made U-turn at intersec controlled by traffic signal/police officer	Y	3
304.015	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location-causing immed threat of accidnt	Y	3
304.015	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location - resulting in accident	Y	3
304.015	Made U-turn/left turn on divided hwy not at intersec/interchange/any signed location	Y	3
304.341	Make U-turn/interfere w/traffic where vision less than 300 ft/traffic hazard created	Y	3
304.013	Oper ATV carrying a passenger when seat not designed for such	Y	2
304.013	Oper ATV while under the influence of alcohol	Y	8 – 1st offense 12 – 2nd offense
304.013	Oper ATV while under the influence of controlled substance	Y	8 – 1st offense 12 – 2nd offense
302.755	Oper commercial mtr veh beginning at issuance of order until it expires (1st ofns)	Y	2
302.755	Oper commercial mtr veh beginning at issuance of order until it expires (2nd ofns)	Y	2
302.755	Oper commercial mtr veh beginning at issuance of order until it expires (3rd/subsequent ofns)	Y	2
302.321	Oper mtr veh on hwy w/driver lic/priv revoked (revoked-fail to stop for school bus)	Y	12
302.321	Oper mtr veh on hwy while driver lic/priv revkd (suspnd for non-payment of child support- 454.1000 - 454.1018)	Y	12
302.321	Oper mtr veh on hwy while driver lic/priv revkd (suspnd for prob cause of .08% BAC and zero tolerance)	Y	12
302.321	Oper mtr veh on hwy while driver lic/priv revoked (revoked for assisting w/license applictn fraud)	Y	12
302.321	Oper mtr veh on hwy while driver license/priv revkd (suspnd for nonappear/nonpayment of court fine/costs)	Y	12
302.321	Oper mtr veh on hwy while driver license/privilege revkd (revkd for points/fail to submit to chem test)	Y	12
302.321	Oper mtr veh on hwy while driver license/privilege revoked (revoked for prob cause of .08% and zero tolerance)	Y	12
302.321	Oper mtr veh while suspended or revkd after failing examination/failing to submit to exam required by DOR	Y	12
307.040	Oper mtr veh without lighted lamps during periods of fog	Y	2
307.040	Oper mtr veh without lighted lamps when using windshield wipers	Y	2

302.276	Oper school bus while endorsement suspended (suspended for fail to pass drug/alcohol/chem test)	Y	12
304.079	Oper/drive mtr veh with disabled placard hanging from rearview mirror	N	2
303.025	Operate motor vehicle owned by another knowing owner of vehicle has not maintained financial responsibility	Y	4
302.020	Operate motorcycle when driver's license not valid for such operation-1st/2nd ofns	Y	2 – 1st offense 4 – 2nd offense
302.272	Operate school bus w/o a school bus endorsement	Y	2
304.012	Operated a motor vehicle in a careless and imprudent manner (Reckless Driving)	Y	6
304.012	Operated a motor vehicle in a careless and imprudent manner, involving an accident	Y	6
302.200	Operated motor veh without obtaining new driver's license after being revoked/suspended	Y	12
302.321	Operated motor vehicle on highway while drivers license/privilege revoked (suspended for points)	Y	12
302.321	Operated motor vehicle on highway while driving license/privilege revoked (revoked for abuse and lose law)	Y	12
307.195	Operated motorized bicycle on interstate highway	Y	2 – 1st offense 4 – 2nd offense 6 – 3rd offense
302.321	Operated mtr veh on hwy while driver's license/priv revoked (canceled/suspended/revoked for unknown reasons)	Y	12
302.020	Operated vehicle on hwy without valid license - 1st or 2nd ofns	Y	2 – 1st offense 4 – 2nd offense 6 – 3rd offense
253.155	Operating a motor veh in a non-designated area in a state park	Y	2
304.013	Operating ATV in careless way, endangering person or property of another	Y	2
304.013	Operating ATV on highway in excess of thirty miles-per-hour	Y	3
304.013	Operating ATV on highway without operator's or chauffeur's license	Y	2
304.013	Operating ATV without proper bicycle safety flag	N	2
304.580	Overtake/pass a motor vehicle within a work or construction zone on a hwy divided into 2 or more lanes	Y	3
304.016	Passed vehicle and interfered with approaching traffic	Y	4
304.016	Passed vehicle on right and traveled off main portion of road	Y	3
302.020	Permitted unvalidated licensee to operate motorcycle	Y	4
304.013	Person under 18 years oper ATV without securely fastened safety helmet on head	N	2
302.220	Provided fraudulent information in application for drivers lic	Y	12
302.220	Represented the drivers lic of another person to be his/hers	Y	2
304.050	School bus driver failed to permit following vehicle to pass	Y	2
304.019	Stop/slow speed/turn from direct course/move vehicle right/left	Y	3

	when unsafe		
304.017	Truck - 18,000 lbs or more/bus followed another vehicle too closely	Y	2
304.281	Turned right on red signal where prohibited by sign	Y	2
302.755	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ driver-1st ofns	Y	2
302.755	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ drive-2nd/subsqnt ofns	Y	2
302.725	Violate operator's license restriction while operating a comm mtr veh	Y	2
302.755	Violated an out-of-service order while transporting hazardous materials (1st ofns)	Y	2
302.755	Violated an out-of-service order while transporting hazardous materials (2nd and subsequent ofns)	Y	2
577.612	Violation of ignition interlock restrictions	Y	2
AR 190-5	Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle.		6
AR 190-5	Fleeing the scene (hit and run)–property damage only.		6
AR 190-5	Speed Contest		6
AR 190-5	Speed to fast for conditions		2
AR 190-5	Speed too slow for traffic conditions, and/or impeding the flow of traffic, causing potential safety hazard.		2
AR 190-5	Following too close.		4
AR 190-5	Wearing of headphones/earphones while driving motor vehicles (two or more wheels).		3
AR 190-5	Failure to wear an approved helmet and/or reflectorized vest while operating or riding on a motorcycle, MOPED, or a three or four–wheel vehicle powered by a motorcycle–like engine.		3
AR 190-5	Other moving violations (involving driver behavior only).		3
AR 190-5	Driver involved in accident is deemed responsible (only added to points assessed for specific offenses).		3

Glossary

Section I. ACRONYMS, ABBREVIATIONS AND BREVITY CODES

1SG
First Sergeant

ADAPC
Alcohol and drug abuse and control program

AMSC
Army Motorcycle Safety Course

AR
Army regulation

ATV
All terrain vehicles

AWOL
absent without leave

Cdr
commander

CSM
Command Sergeant Major

CVC
combat vehicle crew

DA
Department of the Army

DD
Department of Defense

DOD
Department of Defense

DOL
Directorate of Logistics

DOT
Department of Transportation

DPA
Driving Privilege Adjudicator

DPW
Directorate of Public Works

EOD
Explosive Ordnance Disposal

FLW
Fort Leonard Wood

GSA
General Services Administration

IAW
in accordance with

MANSCEN
United States Army Maneuver Support Center

MOPED

motorized pedicycle

MP
military police

MPH
miles per hour

NTV
non-tactical vehicles

OF
optional form

PM
Provost Marshal

POV
privately owned vehicle

PX
post exchange

RDP
restricted driving privilege

SATOP
Substance Abuse Traffic Offenders Program

SGM
sergeant major

TDY
temporary duty

TMP
Transportation Motor Pool

UCMJ
Uniform Code of Military Justice

USAREUR
United States Army Europe

XO
Executive Officer

Section II. EXPLANATION OF TERMS.

Abandoned or Unclaimed Vehicle. Any motor vehicle left unmovable and unattended for 72 hours or more when the owner cannot be identified or contacted to make disposition of the vehicle.

Alcoholic Beverage. Alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors, or combination of liquors, a part of which is spirituous, vinous, or fermented, and all preparations or mixtures for beverage purposes, containing in excess of one-half of one percent by volume.

Chemical Breath Testing Device. An instrument which uses sophisticated physical or chemical methods to quantitatively determine blood-alcohol concentrations. Instruments in this category include but are not limited to the following devices: Alco-Analyzer Gas Chromatograph, Alco-Tector, Breathalyzer, Gas Chromatograph Intoximeter, and the Photo Electric Intoximeter.

Conviction. A final conviction, but also includes an unvacated forfeiture of bail, or collateral deposited to secure a defendant's appearance in court, a plea of nolo contendere accepted by a court, a payment of a fine, a plea of guilty or finding of guilty on a traffic violation charge, regardless of whether the penalty is rebated, suspended or probated. Includes judicial and nonjudicial actions taken under the Uniform Code of Military Justice.

Driver. Every person who drives or is in actual physical control of a motor vehicle. A person is considered to be in actual physical control when he is in position to control the motor vehicle, whether to regulate or restrain its operation or movement, for example, sitting in a parked car, keeping it in restraint or in position to control its movement. The term "driver" is used interchangeably with the word "operator".

Driver's License. A license to operate a motor vehicle issued under the laws of a state.

Driving Privilege. The privilege extended by an installation commander to an individual permitting the operation of a privately owned motor vehicle within the limits of the installation. This privilege, once extended, is subject to administrative suspension or revocation for cause determined by the installation commander within the standards set forth in this regulation.

Emergency. A situation requiring immediate action to save lives, prevent serious injury, or prevent serious property damage.

Emergency Vehicle. Military Police and fire department vehicles, ambulances, civilian police vehicles, Explosive Ordnance Disposal (EOD) vehicles, general officers' vehicles and other vehicles authorized by the Commander General.

Field Sobriety Test. An examination usually performed by law enforcement personnel to determine if the actions, conduct, and appearance of a suspect indicate intoxication.

Highway. Any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alley in any municipality.

Intoxication. Any beverage, substance, drug, or medication capable of impairing the full and rational exercise of the user's mental and physical faculties.

Intoxicating Beverage. Any beverage with an alcohol content capable of impairing the full and rational exercise of the user's mental and physical faculties.

Law Enforcement Personnel (officials). Persons authorized by competent authority to direct, regulate, or control traffic or to make apprehensions or arrests for violations of traffic regulations. Personnel so designated normally are identified as MP, supervision of the installation law enforcement officer.

Midget or Play Autos, Minibikes and Go-carts. Any resemblance to an automobile or motorcycle designed primarily for recreation and not for effective transportation, including all self-propelled vehicles.

MOPEDS. A moped is defined as any two- or three-wheel device having operative capability by—

a. Human propulsion power (or no pedals if powered solely by electrical energy).

b. An automatic transmission.

c. A motor that produces less than two gross brake horsepower, and—

(1) Propels the device at a maximum speed of not more than 30 mph on level ground.

(2) Has a maximum engine size of 50 cubic centimeters.

Motorcycles. A motorcycle is defined as every motor vehicle that has a seat or saddle for use of the rider and is designed to travel on not more than three wheels in contact with the ground. Tractors and Mopeds are excluded. Any other vehicles with open cockpits that are not clearly motor vehicles and required to meet those standards will be subject to motorcycle standards.

Motor Vehicle. Any vehicle driven or drawn by mechanical power manufactured primarily for use on public streets, roads and highways, except any vehicle operated exclusively on a rail or rails.

Motor vehicle Traffic Accident (crash). An unintended event resulting in injury or damage, involving one or more motor vehicles on a highway, or parking lot that is publicly maintained and open to the public for vehicle travel.

Motor Vehicle Registration. The procedures which culminate in the issuance of registration certification and registration plates for a motor vehicle under the laws of a state (state registration). The term also applies to the registration form and identification media issued under the provisions of this regulation for a vehicle authorized to operate on a military installation.

Moving Violation. A violation of any traffic law, ordinance, or regulation which was promulgated primarily with the objective of making use of traffic-ways safe. Moving violations typically involve unsafe acts and/or unsafe conditions. **ILLEGAL PARKING IS NOT A MOVING VIOLATION.**

1. **Unsafe act.** An act or omission in traffic which is hazardous.

2. **Unsafe condition.** Causing or permitting an illegal and possible hazardous condition of streets or highways used by traffic, vehicles used in traffic, or a pedestrian or driver in traffic.

Off-Road Vehicle. Any vehicle manufactured or modified to be operated primarily off the roadway, such as (but not limited to) trail/dirt bikes, minibikes, go-carts, dune buggies, hovercrafts, racing or competition vehicles, four wheel drive vehicles, snow-mobiles, and ATVs. This definition does not apply to construction equipment such as, but not limited to, graders, dozers, back hoes, and grass cutting tractors.

Passenger Car. Any motor vehicle with a gross weight requirement of 10,000 pounds or less, designed to carry 10 persons or less. Passenger cars will include trucks and multipurpose passenger vehicles but will not include two and three-wheeled vehicles such as motorcycles, MOPEDS, and ATVs.

Pedestrian. Any person not in or on a motor vehicle or other road vehicle.

Revocation of Driver License. The termination by formal action of state authority of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that application may be presented and acted on by the state after the expiration of the applicable period of time prescribed by state law. Such action disqualifies the individual from operating a privately owned motor vehicle on a military installation since he is no longer "licensed" to drive.

Revocation of Driver's Privilege. Action taken by an installation Commander to terminate an individual's privilege to operate a motor vehicle on a military installation. This action precludes renewal or restoration except by application and after the expiration of a specified period of time but not less than six months.

State. A constituent unit of the US having a definite territory and governmental organization and includes the District of Columbia, the Commonwealth of Puerto Rico, and territories and possessions of the United States as defined in Section 101, Title 10, United States Code. The term "State" as used herein also refers to a foreign country or to an appropriate political subdivision of a foreign country.

Suspension of Driver License. The temporary withdrawal by formal action (of State authority) of a person's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be for a period specifically designated. Such action disqualifies the individual from operating a privately owned motor vehicle on a military installation since he is no longer "licensed" to drive.

Suspension of Driving Privilege. The temporary withdrawal by an Installation Commander of an individual's privilege to operate a motor vehicle on a military installation for an indefinite period.

Traffic. Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for the purposes of travel.

Traffic Accident Investigation. Motor vehicle accident investigation including (but not limited to) aid to injured, protection of property and evidence, on the scene control of traffic, examination and recording of evidence, interviewing of those involved, questioning of witnesses, and submission of official reports.

Traffic Control Devices. Signs, signals, markings, lights, and devices placed or erected by an official having jurisdiction for the purposes of regulating, warning, or guiding traffic.

Traffic Laws. All laws, ordinances, and regulations concerning highways concerning weight, size, and type of vehicles and vehicle cargo.

Traffic Supervision. Keeping traffic in order on streets and highways within existing laws and regulations to make their use safe and expeditious. This includes, but is not limited to, traffic law enforcement as it applies to laws and regulations relating to use of streets and highways, and ownership and operation of motor vehicles.

Troop Trail. A road or street (paved or unpaved) intended exclusively for marching troops and pedestrians, and which is posted as such. (Military and contractor vehicles are temporarily allowed on troop trails for official purpose only).

U.S. Government Motor Vehicle Operator's Identification Card (OF 346). An authorization to operate Government owned vehicles issued under appropriate departmental regulations.

USAREUR License Plate. A license plate issued by competent USAREUR authority in accordance with the Status of Forces Agreement.